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1ST SESSION

S. 578

To improve outcomes for students in persistently low-performing schools, to create a culture of recognizing, rewarding, and replicating educational excellence, to authorize school turnaround grants, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 14, 2013

Mrs. HAGAN introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To improve outcomes for students in persistently low-performing schools, to create a culture of recognizing, rewarding, and replicating educational excellence, to authorize school turnaround grants, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*

2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “School Turnaround

5 and Rewards Act of 2013” or the “STAR Act of 2013”.

6 **SEC. 2. PURPOSES.**

7 The purposes of this Act are to—

(1) significantly improve outcomes for students
in persistently low-performing schools by—

(B) supporting States and local educational agencies in implementing school intervention models; and

11 (C) targeting State and local supports and
12 strategies on the persistently lowest-performing
13 schools in each State; and

16 by—

(B) supporting State educational agency efforts to identify, collect, and disseminate effective practices for increasing student academic achievement used by Reward Schools.

1 **TITLE I—BLUE RIBBON**
2 **SCHOOLS**

3 **SEC. 101. BLUE RIBBON SCHOOLS.**

4 (a) IN GENERAL.—Section 1117 of the Elementary
5 and Secondary Education Act of 1965 (20 U.S.C. 6317)
6 is amended to read as follows:

7 **“SEC. 1117. BLUE RIBBON SCHOOLS.**

8 “(a) PROGRAM PURPOSE.—It is the purpose of this
9 section to assist States and local educational agencies in
10 identifying and rewarding high-performing public schools.

11 “(b) BLUE RIBBON SCHOOLS.—

12 “(1) IDENTIFICATION OF BLUE RIBBON
13 SCHOOLS.—Each State receiving a grant under this
14 part may—

15 “(A) define the category of blue ribbon
16 schools, consistent with paragraph (2), for the
17 State as part of its State plan in section
18 1111(b); and

19 “(B) identify, for each school year, the
20 schools in the State that are blue ribbon schools
21 for such year.

22 “(2) BLUE RIBBON SCHOOL CRITERIA.—

23 “(A) IN GENERAL.—If a State elects to
24 carry out this subsection, the State’s blue rib-
25 bon schools shall consist of the top 5 percent of

1 the State's public elementary schools and sec-
2 ondary schools, as designated by the State
3 based on—

4 “(i) the percentage of students who
5 are on track to college and career ready-
6 ness, as defined by the Secretary, for
7 English or language arts, and mathe-
8 matics;

9 “(ii) in the case of high schools, the
10 school's graduation rates;

11 “(iii) the performance of each sub-
12 group of students, as defined by the Sec-
13 retary;

14 “(iv) student growth, as defined by
15 the Secretary; and

16 “(v) school gains.

17 “(B) NONELIGIBILITY FOR BLUE RIBBON
18 STATUS.—A school identified under section
19 1116(b) for a year shall not be eligible for blue
20 ribbon school status for the same year.

21 “(c) REWARDS FOR BLUE RIBBON SCHOOLS.—

22 “(1) IN GENERAL.—Each State that defines
23 and identifies blue ribbon schools under subsection
24 (b)(1) for a school year may—

1 “(A) provide each blue ribbon school in the
2 State with increased autonomy over the school’s
3 budget, staffing, and time;

4 “(B) allow each blue ribbon school to have
5 flexibility in the use of any funds provided to
6 the school under this Act for any purpose al-
7 lowed under this Act (notwithstanding any
8 other provision of this Act), as long as such use
9 is consistent with the Civil Rights Act of 1964,
10 title IX of the Education Amendments of 1972,
11 section 504 of the Rehabilitation Act of 1973,
12 the Americans with Disabilities Act of 1990 (42
13 U.S.C. 12101), and part B of the Individuals
14 with Disabilities Education Act; and

15 “(C) reserve not more than .5 percent of
16 the funds allotted to the State under subpart 2
17 and use such reserved amounts to distribute re-
18 wards, on a competitive basis, to local edu-
19 cational agencies that serve 1 or more blue rib-
20 bon schools identified under subsection (b) that
21 receive funds under subpart 2 to enable the
22 local educational agencies to provide awards to
23 such blue ribbon schools that receive funds
24 under such subpart.

1 “(2) USE OF REWARDS.—As a condition of re-
2 ceiving an award from a local educational agency
3 under this subsection, a blue ribbon school shall
4 agree to use the award funds to—

5 “(A) improve student achievement; and

6 “(B) provide technical assistance to the
7 lowest-achieving schools in the State that have
8 characteristics similar to the blue ribbon school.

9 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
10 are authorized to be appropriated to carry out this section
11 \$300,000,000 for fiscal year 2014 and such sums as may
12 be necessary for each of the 5 succeeding fiscal years.”.

13 (b) TABLE OF CONTENTS.—The table of contents in
14 section 2 of the Elementary and Secondary Education Act
15 of 1965 is amended by striking the item relating to section
16 1117 and inserting the following:

“Sec. 1117. Blue ribbon schools.”.

17 **TITLE II—SCHOOL
18 TURNAROUND**

19 **SEC. 201. SCHOOL TURNAROUND.**

20 Section 1116 of the Elementary and Secondary Edu-
21 cation Act of 1965 (20 U.S.C. 6316) is amended by add-
22 ing at the end the following:

23 “(i) PERSISTENTLY LOW-ACHIEVING SCHOOLS.—

24 “(1) LOWEST-ACHIEVING SCHOOLS IN THE
25 STATE.—

1 “(A) IN GENERAL.—Each State receiving
2 a grant under this part shall, beginning in the
3 2013–2014 school year and every year there-
4 after, determine the lowest-achieving schools in
5 the State, which shall include—

6 “(i) the lowest-achieving 5 percent of
7 public high schools, and the lowest-achiev-
8 ing 5 percent of public elementary schools
9 and secondary schools that are not high
10 schools, in the State, based on—

11 “(I) student performance on the
12 State academic assessments in read-
13 ing or language arts, and mathe-
14 matics, including student absolute
15 performance;

16 “(II) in the case of high schools,
17 graduation rates; and

18 “(III) if the State so chooses—

19 “(aa) schoolwide gains; and

20 “(bb) absolute student per-
21 formance; and

22 “(ii) the public high schools in the
23 State that have less than a 60-percent
24 graduation rate.

1 “(B) DATA RULE.—In identifying the low-
2 est-achieving schools under this paragraph, a
3 State shall—

4 “(i) use data for the most recent year
5 for which data are available; or

6 “(ii) average data for the most recent
7 2- to 3-year period for which data are
8 available.

9 “(C) PARENTAL NOTIFICATION.—Each
10 year, a State shall provide timely notification to
11 all parents of students enrolled in each school
12 identified under subparagraph (A) that the
13 school is one of the State’s lowest-achieving
14 schools for such year.

15 “(D) LIST OF TARGETED LOW-ACHIEVING
16 SCHOOLS.—Each year, the State shall—

17 “(i) compile a list of the schools iden-
18 tified under subparagraph (A) that—

19 “(I) receive assistance under this
20 part;

21 “(II) are public high schools for
22 which not less than 50 percent of each
23 school’s students are from low-income
24 families, as determined by the local

1 educational agency under section
2 1113; or

3 “(III) are public high schools
4 that have less than a 60-percent grad-
5 uation rate;

6 “(ii) submit the list described in
7 clause (i) to the Secretary;

8 “(iii) distribute the list described in
9 clause (i) to the local educational agencies,
10 elementary schools, and secondary schools
11 in the State; and

12 “(iv) make such list publicly available,
13 including through the Internet.

14 “(2) IDENTIFICATION AS PERSISTENTLY LOW-
15 ACHIEVING.—

16 “(A) IDENTIFICATION.—For the 2013–
17 2014 school year, each State receiving a grant
18 under this part shall identify each school in-
19 cluded on the list under paragraph (1)(D)(i) for
20 the preceding school year as a persistently low-
21 achieving school. For the 2014–2015 school
22 year, and each subsequent school year, each
23 such State shall identify each school that has
24 been included on the list under such paragraph

1 for the 2 preceding consecutive school years as
2 a persistently low-achieving school.

3 “(B) 5-YEAR PERIOD.—A school that is
4 identified by the State under subparagraph (A)
5 shall be a persistently low-achieving school for
6 the 5-year period following the school’s identi-
7 fication, except as provided in paragraph (6).

8 “(3) STATE WAIVER.—If a State determines
9 that all schools that would otherwise be considered
10 to be in the lowest-achieving 5 percent of schools
11 under paragraph (1)(A)(i) are actually performing
12 at a satisfactory level of performance based on the
13 measures used by the State to identify persistently
14 low-achieving schools, the State may apply to the
15 Secretary to waive the requirements of this sub-
16 section.

17 “(4) NEEDS ANALYSIS.—Each local educational
18 agency receiving assistance under this part shall
19 conduct a data-driven needs analysis, which may in-
20 volve an external partner with expertise in con-
21 ducting such needs analysis, of each school identified
22 under paragraph (2) by the State to determine the
23 most appropriate school improvement strategies to
24 improve student performance. Such needs analysis
25 shall include—

1 “(A) a diagnostic review of data related to
2 students and instructional staff;

3 “(B) an analysis of the school governance,
4 curriculum, instruction, student supports, con-
5 ditions for learning, and parent and family en-
6 gagement practices relative to the needs of the
7 student population; and

8 “(C) the resources, which may include
9 community-based supports and early childhood
10 education and care, available at the school, local
11 educational agency, and community levels to
12 meet student needs and support improved stu-
13 dent achievement and outcomes and the imple-
14 mentation of any school improvement strategy.

15 “(5) STATE AND LOCAL RESPONSIBILITIES.—

16 “(A) STATE RESPONSIBILITIES.—Each
17 State receiving a grant under this part shall en-
18 sure that a local educational agency receiving
19 assistance carries out the requirements of sub-
20 paragraph (B) for each persistently low-achiev-
21 ing school in the State.

22 “(B) LOCAL EDUCATIONAL AGENCY RE-
23 SPONSIBILITIES.—Each local educational agen-
24 cy receiving assistance under this part shall,
25 consistent with the State’s accountability sys-

1 tem under section 1111, for each school identi-
2 fied under paragraph (2) that it serves—

3 “(i) establish a process for selecting
4 an appropriate school improvement strat-
5 egy for the school that uses information
6 from the needs analysis under paragraph
7 (4);

8 “(ii) select the school improvement
9 strategy to be used in each identified
10 school and the timeline for implementing
11 the selected school improvement strategy
12 in such school;

13 “(iii) develop a detailed budget cov-
14 ering the 5-year identification period, in-
15 cluding planned expenditures at the school
16 level for activities supporting full and ef-
17 fective implementation of the selected
18 school improvement strategy;

19 “(iv) implement a school improvement
20 strategy at the school in accordance with
21 the requirements of paragraph (6);

22 “(v) use appropriate measures to
23 monitor the effectiveness of the implemen-
24 tation;

- 1 “(vi) review and select turnaround
2 partners to assist in implementing school
3 improvement strategies;
- 4 “(vii) align other Federal, State, and
5 local resources with the school improve-
6 ment strategy;
- 7 “(viii) provide the school with the
8 operational flexibility, including autonomy
9 over staffing, time, and budget, needed to
10 enable full and effective implementation of
11 the selected strategy, including through the
12 modification of practices or policies, if nec-
13 essary;
- 14 “(ix) collect and use data on an ongo-
15 ing basis to adjust implementation of the
16 school improvement strategy to improve
17 student achievement;
- 18 “(x) provide an assurance that the im-
19 plementation of the selected school im-
20 provement strategy addresses the needs of
21 all the subgroups of students;
- 22 “(xi) take steps to sustain successful
23 reforms and practices after the school is no
24 longer identified under paragraph (2); and

1 “(xii) provide technical assistance and
2 other support to ensure effective implemen-
3 tation of the school improvement strategy
4 in the school, which may include assistance
5 in—

6 “(I) data collection and analysis;

7 “(II) recruiting and retaining
8 staff;

9 “(III) teacher and principal eval-
10 uation;

11 “(IV) professional development;

12 “(V) parent and family engage-
13 ment;

14 “(VI) coordination of services
15 with early childhood education and
16 care providers;

17 “(VII) coordination of services to
18 address students' social, emotional,
19 and health needs; and

20 “(VIII) monitoring the imple-
21 mentation of the school improvement
22 strategy selected under paragraph (6).

23 “(C) STATE AS LOCAL EDUCATIONAL
24 AGENCY.—A State may take over a persistently
25 low-achieving school and act as the local edu-

1 cational agency for purposes of this subsection,
2 if permitted under State law.

3 “(6) SCHOOL IMPROVEMENT STRATEGIES.—

4 “(A) REQUIRED ACTIVITIES FOR ALL
5 SCHOOL IMPROVEMENT STRATEGIES.—A local
6 educational agency implementing any strategies
7 under this paragraph for a school shall—

8 “(i) provide staff at the school with
9 ongoing professional development, con-
10 sistent with the needs analysis described in
11 paragraph (4);

12 “(ii) conduct regular evaluations for
13 the teachers and principals at the school
14 that provide specific feedback on areas of
15 strength and in need of improvement;

16 “(iii) provide time for collaboration
17 among instructional staff at the school to
18 improve student achievement;

19 “(iv) provide instructional staff at the
20 school with timely access to student data
21 to inform instruction and meet the aca-
22 demic needs of individual students, which
23 may include, in elementary school, school
24 readiness data;

1 “(v) collaborate with parents, the
2 community, teachers, and other school per-
3 sonnel at the school on the selection and
4 implementation of the strategy;

5 “(vi) use data to identify and imple-
6 ment a research-based instructional pro-
7 gram that—

8 “(I) analyzes student progress
9 and performance and develops appro-
10 priate interventions for students who
11 are not making adequate progress;
12 and

13 “(II) provides differentiated in-
14 struction and related instructional
15 supports;

16 “(vii) in the case of an elementary
17 school with kindergarten entry, consider
18 the issue of school readiness in such school
19 by—

20 “(I) examining factors that con-
21 tribute to school readiness as part of
22 the needs analysis conducted under
23 paragraph (4); and

- 1 “(II) if school readiness is identi-
2 fied in the needs analysis as an area
3 in need of improvement—
4 “(aa) coordinating with ap-
5 propriate early childhood pro-
6 grams, such as programs under
7 the Child Care Development and
8 Block Grant Act of 1990, the
9 Head Start Act, prekindergarten
10 programs, and other similar Fed-
11 eral, State, and local programs,
12 in order to align instruction to
13 better prepare students for ele-
14 mentary school; and
15 “(bb) developing a plan to
16 improve or expand early child-
17 hood options which may include
18 the use of funds under this part
19 for such purposes;
20 “(viii) provide ongoing mechanisms
21 for parent and family engagement; and
22 “(ix) provide appropriate services and
23 supports for students as identified in the
24 school’s needs analysis.

1 “(B) STRATEGIES.—A local educational
2 agency shall identify a school improvement
3 strategy for a school from among the following
4 strategies:

5 “(i) TRANSFORMATION MODEL.—A
6 transformation model is one in which the
7 local educational agency—

8 “(I) if the principal has led the
9 school for 2 or more years, replaces
10 the principal with a new principal who
11 has demonstrated effectiveness in
12 turning around a low-performing
13 school;

14 “(II) uses rigorous, transparent,
15 and equitable evaluation systems to—

16 “(aa) identify and reward
17 school leaders, teachers, and
18 other staff who, in implementing
19 the model, increase student
20 achievement and, if applicable,
21 high school graduation rates; and

22 “(bb) identify and remove
23 school leaders, teachers, and
24 other staff who, after ample op-
25 portunities have been provided

1 for such individuals to improve
2 their professional practice—

13 “(III) provides staff with ongoing
14 high-quality, job-embedded pro-
15 fessional development that is aligned
16 with the school’s instructional pro-
17 gram and evaluation system and fa-
18 cilitates effective teaching and learn-
19 ing, and supports the implementation
20 of school-reform strategies;

21 “(IV) implements strategies, such
22 as financial incentives, increased op-
23 portunities for promotion and career
24 growth, and more flexible work condi-
25 tions that are designed to recruit,

1 place, and retain staff with the skills
2 necessary to meet the needs of the
3 students in the school;

4 “(V) uses data to identify and
5 implement a research-based instruc-
6 tional program that—

7 “(aa) is aligned with State
8 challenging academic content
9 standards and challenging stu-
10 dent academic achievement
11 standards; and

12 “(bb) has proven to raise
13 student academic achievement by
14 not less than 10 percent in 1
15 year;

16 “(VI) establishes schedules and
17 strategies that provide increased
18 learning time, which may include of-
19 fering full-day kindergarten or a high-
20 quality preschool program or using a
21 longer school day, week, or year that
22 increases the total number of school
23 hours for the school year at a school
24 by not fewer than 300 hours to sig-
25 nificantly increase the total number of

1 school hours to include additional time
2 for—

3 “(aa) instruction in core
4 academic subjects, instructions in
5 such core academic subjects as,
6 English, reading or language
7 arts, mathematics, science, for-
8 eign languages, civics and gov-
9 ernment, economics, arts, history,
10 and geography; and

11 “(bb) instruction in other
12 subjects and enrichment activities
13 that contribute to a well-rounded
14 education, such as physical edu-
15 cation, service learning, and ex-
16 periential and work-based learn-
17 ing opportunities that are pro-
18 vided by partnering, as appro-
19 priate, with other organizations;

20 “(VII) promotes the continuous
21 use of student data to provide instruc-
22 tion that meets the academic needs of
23 individual students, which may in-
24 clude, in elementary school, individual
25 students’ levels of school readiness;

1 “(VIII) establishes schedules and
2 strategies that provide increased
3 learning time, which may include ex-
4 panding the school program to offer
5 full-day kindergarten or a high-quality
6 preschool program;

7 “(IX) provides ongoing mecha-
8 nisms for family and community en-
9 gagement;

10 “(X) gives the school sufficient
11 operational flexibility in programming,
12 staffing, budgeting, and scheduling to
13 fully implement a comprehensive
14 strategy designed to substantially im-
15 prove student achievement and, if ap-
16 plicable, increase the graduation rate;

17 “(XI) ensures that the school re-
18 ceives ongoing, intensive technical as-
19 sistance and related support from the
20 local educational agency, the State
21 educational agency, or a designated
22 external lead partner organization;
23 and

24 “(XII) provides appropriate so-
25 cial-emotional and community-ori-

8 “(ii) RESTART MODEL.—A restart
9 model is one in which the local educational
10 agency—

11 “(I) converts a school or closes
12 and reopens the school—

1 will make significant changes in the
2 leadership and staffing of the school;
3 and

4 “(III) enrolls in the school, within
5 the grades it serves, any former
6 student who wishes to attend the
7 school.

8 “(iii) SCHOOL CLOSURE.—A school
9 closure model is one in which the local edu-
10 cational agency—

11 “(I) closes a school and enrolls
12 the students who attended such school
13 in other public schools served by the
14 local educational agency that are
15 higher performing, provided the other
16 schools are within reasonable prox-
17 imity to the closed school; and

18 “(II) provides information, in a
19 timely fashion, in the appropriate lan-
20 guage, and prior to closing the school,
21 to children who attended such closed
22 school and their parents, about high-
23 quality educational options and transi-
24 tion and support services.

1 “(iv) TURNAROUND MODEL.—A turn-
2 around model is one in which the local
3 educational agency—

4 “(I) if the principal has led the
5 school for 2 or more years, replaces
6 the principal with a new principal who
7 has demonstrated effectiveness in
8 turning around a low-performing
9 school;

10 “(II) gives the new principal suf-
11 ficient operational flexibility (includ-
12 ing over staffing, the school day and
13 school calendar, and budgeting) to
14 fully implement a comprehensive ap-
15 proach to improve student outcomes;

16 “(III) using comprehensive eval-
17 uation systems, including the use of
18 student achievement data to measure
19 the effectiveness of staff who can
20 work within the turnaround environ-
21 ment to meet the needs of students—

22 “(aa) screens all existing
23 staff and retains not more than
24 50 percent of such staff; and

1 “(bb) requires the principal
2 to justify personnel decisions,
3 such as hiring, dismissal, and
4 providing rewards, based on re-
5 sults of such evaluations;

6 “(IV) provides staff with ongo-
7 ing, high-quality, job-embedded pro-
8 fessional development that is aligned
9 with the school’s instructional pro-
10 gram, facilitates effective teaching
11 and learning, and supports the imple-
12 mentation of school-reform strategies;

13 “(V) adopts a new governance
14 structure for the school, which may
15 include requiring the school to report
16 to a new turnaround office in the local
17 educational agency or State edu-
18 cational agency, hire a turnaround
19 leader who reports directly to the Su-
20 perintendent or Chief Academic Offi-
21 cer, or enter into a multi-year agree-
22 ment with the local educational agen-
23 cy or State educational agency to ob-
24 tain added flexibility in exchange for
25 greater accountability;

1 “(VI) uses data to identify and
2 implement a research-based instruc-
3 tional program and promotes the con-
4 tinuous use of data to evaluate school
5 improvement strategies and to inform
6 the differentiated instruction in order
7 to meet the academic needs of indi-
8 vidual students;

9 “(VII) encourages the use of ex-
10 tended learning time partnerships;

11 “(VIII) establishes schedules and
12 strategies that provide increased
13 learning time, which may include of-
14 fering full-day kindergarten or a high-
15 quality preschool program or using a
16 longer school day, week, or year that
17 increases the total number of school
18 hours for the school year at a school
19 by not fewer than 300 hours to sig-
20 nificantly increase the total number of
21 school hours to include additional time
22 for—

23 “(aa) instruction in such
24 core academic subjects as
25 English, reading or language

1 arts, mathematics, science, for-
2 eign languages, civics and gov-
3 ernment, economics, arts, history,
4 and geography;

5 “(bb) instruction in other
6 subjects and enrichment activities
7 that contribute to a well-rounded
8 education, such as physical edu-
9 cation, service learning, and ex-
10 periential and work-based learn-
11 ing opportunities that are pro-
12 vided by partnering, as appro-
13 priate, with other organizations;
14 and

15 “(cc) teachers to collaborate,
16 plan, and engage in professional
17 development within and across
18 grades and subjects;

19 “(IX) provides ongoing mecha-
20 nisms for family and community en-
21 gagement;

22 “(X) provides appropriate social-
23 emotional and community-oriented
24 services and supports for students;
25 and

3 “(C) USING FUNDS FOR COMPREHENSIVE
4 SERVICES TO ADDRESS ISSUES.—In imple-
5 menting any of the school intervention models
6 described in subparagraph (B), the local edu-
7 cational agency—

“(ii) may use funds under this subsection to provide comprehensive services to address those issues and meet the full range of student needs.

15 “(7) RESERVATION AND ALLOTMENTS.—From
16 the total amount appropriated under paragraph (8),
17 the Secretary may reserve not more than 10 percent
18 to carry out activities of national significance, such
19 as—

20 “(A) building State and local educational
21 agency turnaround capacity, including through
22 technical assistance and support, identification
23 and dissemination of best practices, and facili-
24 tating the creation and operation of commu-
25 nities of practice;

- 1 “(B) supporting the use of school quality
2 review teams by making grants to State edu-
3 cational agencies, consortia of such agencies, or
4 partnerships of State educational agencies or
5 State consortia and public or private nonprofit
6 organizations to develop and implement school
7 quality review teams that review and provide
8 support and technical assistance to local edu-
9 cational agencies and schools for activities such
10 as expanded learning time;
- 11 “(C) identifying and disseminating effec-
12 tive rural turnaround practices, making avail-
13 able targeted technical assistance, and expand-
14 ing the availability and capacity of turnaround
15 partners that operate in rural areas;
- 16 “(D) identifying schools and school im-
17 provement partners that are effectively imple-
18 menting school intervention models and other
19 effective strategies to improve schools, and
20 making information on those schools available
21 to State educational agencies, local educational
22 agencies, and schools in a manner that facili-
23 tates replication of effective practices; and

1 “(E) other activities designed to support
2 State and local efforts to turn around persist-
3 ently low-performing schools.

4 “(8) AUTHORIZATION OF APPROPRIATIONS.—
5 There are authorized to be appropriated to carry out
6 this subsection \$600,000,000 for fiscal year 2014
7 and such sums as may be necessary for each of the
8 5 succeeding fiscal years.”.

